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3 BILL NO. G-74-09- 09

4 GENERAL ORDINANCE NO. G- 25-74

5 AN ORDINANCE amending General Ordinance No.
6 G-97 by authorizing the vacation of a public
7 utility

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
9 WAYNE, INDIANA:

10 SECTION 1. A petition for the vacation of a public utility easement
11 having been filed with the Fort Wayne City Plan Commission, and a resolution having
12 been duly adopted by the Fort Wayne City Plan Commission on the 19th day of
13 August, 1974 following a public hearing thereon, all in accordance with Section
14 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as
15 amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly
16 of the State of Indiana (Burns. Ind. Ann. Statutes, 1964 Replacement, Sec. 53-744)
17 the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the
18 Common Council of the City of Fort Wayne on November 26, 1963, is amended by
19 deleting the following public utility easement in Fort Wayne, Allen County,
20 Indiana, to-wit:

21 A 12 foot wide utility easement running North and South between
22 Lots 35 and 36 in Amended Beechwood Addition to the City of
23 Fort Wayne, Allen County, and as recorded in the Office of the
24 Recorder of Allen County, Plat Book 7, page 64

25 SECTION 2. After passage of this Ordinance, approval by the Mayor
26 and legal publication, a duly certified copy of this Ordinance, of the recommenda-
27 tion of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall
28 be transmitted by the City Clerk to the Board of Public Works of the City of Fort
29 Wayne, Indiana.

30 SECTION 3. This Ordinance shall be in full force and effect from and
31 after its passage, approval by the Mayor and legal publication thereof.

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John Muschler
Councilman

APPROVED AS TO FORM
AND LEGALITY.

W. S. Co.
CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by King, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 9/10/74

Charles W. Talarico
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by King, and duly adopted, placed on its passage. Passed (~~LOST~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<u>X</u>	_____	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____	_____
KRAUS	<u>X</u>	_____	_____	_____	_____
MOSES	<u>X</u>	_____	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____	_____

DATE: 9-24-74

Charles W. Talarico
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 9-25-74 on the 24th day of September, 1974.

ATTEST: (SEAL)

Charles W. Talarico
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Talarico
CITY CLERK

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock 4. M., E.S.T.

Samuel J. Talarico
MAYOR

Bill No. G-74-09-09

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of a public
utility

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
DJ Schmidt



THE CITY OF FORT WAYNE

August 23, 1974

COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

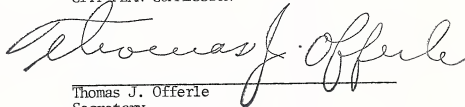
Attached hereto is a resolution for the facation of the following:

A 12 foot wide utility easement running North and South between
Lots 35 and 36 in Amended Beechwood Addition to the City of
Fort Wayne, Allen County, and as recorded in the Office of the
Recorder of Allen County, Plat Book 7, page 64.

which was approved by the City Plan Commission at its regular meeting
held August 19, 1974.

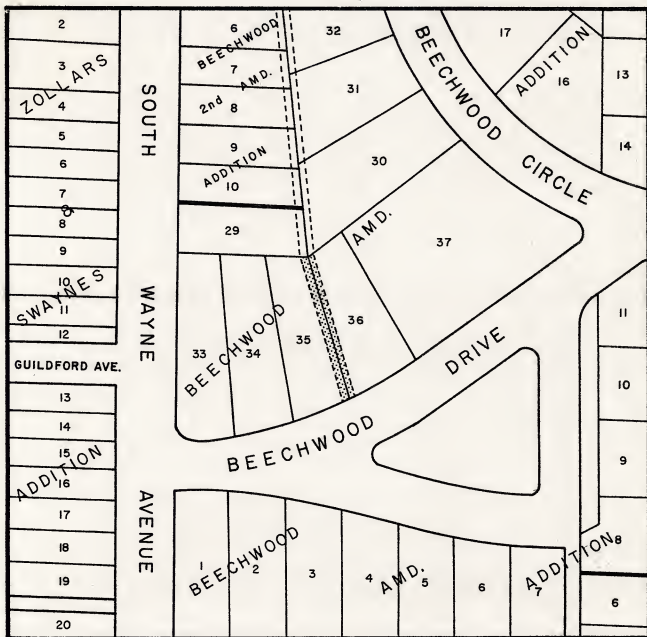
Respectfully submitted,

CITY PLAN COMMISSION



Thomas J. Offerle
Secretary

Certified and signed this
23rd day of August, 1974.



PORTION OF EASEMENT TO BE VACATED

N



TO: FORT WAYNE CITY PLAN COMMISSION

PETITION TO VACATE PUBLIC
UTILITY EASEMENT

COMES NOW Neenah K. Ridgeway, owner of the real estate abutting the hereinafter described part of a public easement, by counsel, and petitions for the vacation of same, and in support thereof alleges and says:

(1) That Neenah K. Ridgeway is the owner of the hereinafter described real estate:

The West 41 feet 7 inches of the South 5 feet of Lot 30 in Amended Beechwood Addition to the City of Fort Wayne, according to the plat thereof, recorded in Plat Record 7, page 64, in the Office of the Recorder of Allen County, Indiana; and also Lot 36, Amended Beechwood Addition to the City of Fort Wayne; also, part of the East 1/2 of Lot 35 of said Addition, more particularly described as follows: Beginning at the Southeast Corner of said Lot No. 35, thence running along the East line of said lot to the Northeast corner thereof, thence running West along the North line of said lot 23.5 feet, thence running in a straight line to a point in the South line of said lot, which point is 31.6 feet West of the Southeast corner of said lot, thence running East along the South line of said Lot 31.6 feet to the place of beginning, in Allen County, Indiana (commonly known as 542 Beechwood Drive, Fort Wayne, Indiana).

(2) That pursuant to the amended plat of Beechwood Addition to the City of Fort Wayne, there lies a 12 foot utility easement, more particularly described as:

A 12 foot wide utility easement running North and South between Lots 35 and 36 in Amended Beechwood Addition to the City of Fort Wayne, Allen County, and as recorded in the Office of the Recorder of Allen County, Plat Book 7, page 64.

(3) That said easement dedicated in 1914 and since that time, no private utility or the City of Fort Wayne has ever used said easement for utility purposes.

(4) That the Petitioner has obtained releases from General Telephone Company, Northern Indiana Public Service Company and Indiana & Michigan Electric Company.

(5) That the public utility easement above described is not therefore needed and the vacation of that part of the easement so described to be vacated conforms to the general policy and pattern of development set out in the master plan in the City of Fort Wayne.

WHEREFORE, your Petitioner prays and asks this Commission to adopt a resolution authorizing the vacation of said part of said public utility easement above-described.

Dated this 25th day of July, 1974.

HOFFMAN, MOPPERT, SOLOMON,
MILLER & THOMPSON

BY


(Robert J. Schmoll)

1212 Anthony Wayne Bank Building
Fort Wayne, Indiana 46802
Telephone: (219) 423-3331
ATTORNEYS FOR PETITIONER

RESOLUTION

WHEREAS, NEENAH K. RIDGEWAY, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of part of a public utility easement in Allen County, Indiana, described as:

A 12 foot wide utility easement running North and South between Lots 35 and 36 in Amended Beechwood Addition to the City of Fort Wayne, Allen County, and as recorded in the Office of the Recorder of Allen County, Plat Book 7, page 64.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Indiana Code 18-7-5-46); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on the 19th day of August, 1974, at 7:30 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said part of said public utility easement;

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that vacation of said part of said public utility easement hereinbefore described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and,

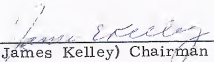
BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of part of a public utility easement hereinbefore described be and the same is hereby approved; and,

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of public utility easements hereinbefore described and other public ways in the City of Fort Wayne, Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I James Kelley, Chairman of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on the 19th day of August, 1974, at 7:30 P.M., and as the same appears of record in the official records of said Plan Commission.

Dated this 19th day of August , 1974.



(James Kelley) Chairman
Fort Wayne City Plan Commission

GENERAL RELEASE

THIS AGREEMENT, made this 11th day of August 1973 by and between the INDIANA & MICHIGAN ELECTRIC COMPANY a corporation duly organized under the corporate laws of the State of Indiana, and FORT WAYNE NATIONAL BANK, TRUSTEE FOR BEAVER HEIRS, Of Fort Wayne, Allen County, Indiana, WITNESSETH:

WHEREAS on the 12th. day of May 1914.

dedicated a Public Utility and Surface Water.

Drainage Easement on the plat of Amended Beechwood Addition, as recorded in the offices of the Recorder of Allen County Indiana, in Plat Record 7 Page 64.

WHEREAS, it has been determined that the particular herein-after described easement is of no further value and serves no utility;

NOW, THEREFORE, in consideration of the payment of Ten Dollars (\$10.00) paid by FORT WAYNE NATIONAL BANK, Trustee for Beaver Heirs, to Indiana & Michigan Electric Company, the receipt whereof is hereby acknowledged, Indiana & Michigan Electric Company of Indiana, hereby releases and abandons to Fort Wayne National Bank, Trustee for Beaver Heirs, the easement described as follows, to-wit:

A 12 foot wide utility easement running North & South between Lot 36 and Lot 35 in Amended Beechwood Addition to the City of Fort Wayne. Allen County Indiana, as recorded in the office of the Recorder of Allen County, Indiana, in Plat Book 7, Page 64, except the north 25 feet thereof.
with the intention of terminating said easement.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed in their respective corporate names by their duly authorized officers and attached their respective corporate seals on this the day and

year first above written.

FORT WAYNE NATIONAL BANK
Trustee for Beaver Heirs

INDIANA & MICHIGAN ELECTRIC
COMPANY

BY _____

BY R. M. Kopper
R. M. Kopper, Executive Vice President

BY _____

BY A. W. Lindahl
A. W. Lindahl, Assistant Secretary

STATE OF INDIANA)
COUNTY OF ALLEN) SS:



Before me, the undersigned, a Notary Public in and for said
County and State, this 14th day of August 1973, personally
appeared the within named R. M. Kopper and A. W. Lindahl
_____ to me personally known to be, respectively, Executive Vice Presi
and Assistant Secretary of Indiana & Michigan Electric Company and
acknowledged that they signed and sealed said instrument as their voluntary
act and deed and as the voluntary act and deed of said Corporation

IN WITNESS WHEREOF, I have hereunto subscribed my name
and affixed my official seal.

Marsha E. Moore
Notary Public

My Commission expires:

MARSHA E. MOORE
My Commission Expires Nov. 6, 1973



Northern Indiana Public Service Company

1501 Hale Avenue
Fort Wayne, Indiana 46804
September 26, 1973

Mr. Robert J. Schmoll
Attorney at Law
1212 Anthony Wayne Bank Bldg.
Fort Wayne, Indiana 46802

Dear Mr. Schmoll:

An executed copy of the partial release of easement which you requested in the Amended Beechwood Addition is enclosed. Also included are the forms you sent us, which we were not able to use.

Please call me if you have any further questions.

Very truly yours,

H. Woldt
Senior Engineer

HW/jjb

Enclosures

cc: Mr. J. F. Ratajczak
Mr. H. E. Winkler

PARTIAL RELEASE OF EASEMENT

A plat designated as Amended Beechwood Addition was recorded in the Records of the Recorder's Office of Allen County, Indiana, in Plat Record 7, Page 64 and contains certain strips of land designated as Easement for Public Utilities.

NOW, THEREFORE, THIS INDENTURE WITNESSETH, that NORTHERN INDIANA PUBLIC SERVICE COMPANY, in consideration of One Dollar (\$1.00) in hand paid, receipt of which is hereby acknowledged, does to the extent that it has authority to do so, and without warranty, hereby release, convey, quitclaim and set over unto the present owner or owners of Lots 35 and 36

of said subdivision, and to their successors and assigns, all right, title, interest, claim or demand which the undersigned Northern Indiana Public Service Company may have acquired in, by or through the aforesaid plat, in and to a part of said easements designated therein, namely:

A 12 foot wide utility easement running North & South between lot 36 and lot 35 in Amended Beechwood Addition to the City of Fort Wayne, Allen County, Indiana, as recorded in the office of the Recorder of Allen County, Indiana, in Plat Book 7, Page 64

No. 73-19794
Records: August 10, 1973
Book Page
County Allen

provided, however, that this partial release is not intended to change, abridge, waive, diminish, discharge or affect in any way the right, title or interest of the undersigned Northern Indiana Public Service Company, in and to the easements for public utilities as shown on said plat other than those parts herein expressly released, and this partial release is not intended and does not release, discharge or affect in any way the right, title or interest of any others in and to said easements for public utilities, or any part or portion thereof, and is executed upon the express stipulation and condition that it shall not be so construed.

IN WITNESS WHEREOF, Northern Indiana Public Service Company has caused this instrument to be executed by its proper officers and its corporate seal to be hereunto affixed and attested this 2nd. day of August, 1973.

NORTHERN INDIANA PUBLIC SERVICE COMPANY

By *[Signature]*
C. D. Reas President

ATTEST:

[Signature]
John E. Reil, Secretary

STATE OF INDIANA }
COUNTY OF LAKE } SS:

BE IT REMEMBERED that on this 2nd. day of August, 1973, before me a notary public in and for the county and state aforesaid, personally appeared C. D. Reas President and John E. Reil, Secretary, respectively, of Northern Indiana Public Service Company, and each acknowledged the execution of the above and foregoing instrument in behalf of said corporation and as the voluntary act and deed of said corporation and of said officials for said corporation for the uses and purposes therein set forth.

WITNESS my hand and notarial seal the day and year first above written.

[Signature: Gregory A. Roderick]
GREGORY A. RODERICK Notary Public

My Commission expires: 7-2-77

This instrument was prepared by Gregory A. Roderick.

GENERAL RELEASE

THIS AGREEMENT, made this 4th day of April 1974, by and between the GENERAL TELEPHONE COMPANY OF INDIANA, INC., a corporation duly organized under the corporate laws of the State of Indiana, and FORT WAYNE NATIONAL BANK, TRUSTEE FOR BEAVER HIERS, of Fort Wayne, Allen County, Indiana, WITNESSETH:

WHEREAS, on the 12th. day of May, 1914. dedicated a Public Utility and Surface Water Drainage Easement on the plat of Amended Beechwood Addition, as recorded in the offices of the Recorder of Allen County, Indiana, in Plat Record 7, Pages 64,

WHEREAS, it has been determined that the particular herein-after described easement is of no further value and serves no utility;

NOW, THEREFORE, in consideration of the payment of Ten Dollars (\$10.00), paid by FORT WAYNE NATIONAL BANK, Trustee for Beaver Hiers, to General Telephone Company of Indiana Inc., the receipt whereof is hereby acknowledged, General Telephone Company of Indiana Inc., hereby releases and abandons to Fort Wayne National Bank, Trustee for Beaver Hiers, the easement described as follows, to-wit:

A 12 foot wide utility easement running North & South between lot 36 and lot 35 in Amended Beechwood Addition to the City of Fort Wayne, Allen County, Indiana, as recorded in the office of the Recorder of Allen County, Indiana, in Plat Book 7, Page 64.

with the intention of terminating said easement.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed in their respective corporate names by their duly authorized officers and attached their respective corporate seals on this the day and

year first above written.

FORT WAYNE NATIONAL BANK,
Trustee for Beaver Hiers

GENERAL TELEPHONE COMPANY OF
INDIANA, INC.

BY _____

BY Donald G. Prigmore
DONALD G. PRIGMORE
Vice President-Operations

BY _____

ATTEST:
BY Harold W. Purdy
Harold W. Purdy, Secretary

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said county and State, this 4th day of April, 1974, personally appeared the within named Donald G. Prigmore and Harold W. Purdy _____ to me personally known to be, respectively, Vice President-Operations and Secretary of General Telephone Company of Indiana Inc., and acknowledged that they signed and sealed said instrument as their voluntary act and deed and as the voluntary act and deed of said Corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name
and affixed my official seal.

Helen V. Hostis
Notary Public.

My Commission expires:

March 12, 1978

Number assigned by Dave Keller's Office: # 3486

TITLE OF ORDINANCE Utility Easement Vacation Ordinance D-74-09-09DEPARTMENT REQUESTING ORDINANCE City Plan CommissionSYNOPSIS OF ORDINANCE Preparation of a utility easement vacation ordinance
petition initiated by property owners to vacation easement described as follows:A 12 foot wide utility easement running North and South between Lots 35 and
36 in Amended Beechwood Addition to the City of Fort Wayne, Allen County and as
recorded in the office of the Recorder of Allen County, Plat Book 7, page 64.EFFECT OF PASSAGE Utility easement would be closed and used by
abutting property owners.EFFECT OF NON-PASSAGE Utility easement would remain open.MONEY INVOLVED (Direct Costs, Expenditures, Savings) noneASSIGNED TO COMMITTEE (J.N.) Regulation



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

September 26, 1974

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates September 30 and October 7, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana:

Bill No. G-74-09-08 (AS AMENDED)
GEN. ORD. NO. G-24-74

Bill No. G-74-09-09
GEN. ORD. NO. G-25-74

Bill No. Z-74-04-13
ZONING MAP ORD. NO. Z-16-74

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Charles W. Westerman".

Charles W. Westerman
City Clerk

CWW:ne
ENCL: 3

Ft. Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

2

Body number of lines

98

Tail number of lines

2

Total number of lines in notice

102

COMPUTATION OF CHARGES

102 lines, 1 columns wide equals 102 equivalent lines at .288 cents per line

\$ 29.38

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

ra proofs of publication (50 cents for each proof in excess of two)

1.50

L AMOUNT OF CLAIM

\$ 30.88

COST

e column 11 ems

Size of type .51 point

sections. 2

Size of quad upon which type is cast .51

and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just the same has been paid.

Arvilla DeWald

CLERK

Title

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

9/30 & 10/7/74

Subscribed and sworn to before me this 7th day of October 1974

Notary Public

My commission expires October 25, 1975

LEGAL NOTICE
GENERAL ORDINANCE
NO. G-25-74

Notice is hereby given that on the 24th day of September, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-74-97- G-25-74 General Ordinance, to-wit:

BILL NO. G-74-97-99
GENERAL ORDINANCE NO. G-25-74
AN ORDINANCE amending General Ordinance No. G-47 by authorizing the vacation of a public utility

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a public utility easement having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on the 19th day of August, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns, Ind. Ann. Statutes, 1964 Replacement, Sec. 23-244) the Thoroughfare Plan as set forth in the Common Council of the City of Fort Wayne on November 26, 1963, is amended by setting the following public utility easement in Fort Wayne, Allen County, Indiana, to-wit:

A 12 foot wide utility easement running North and South between Lots 35 and 36 in the Amended Beechwood Addition to the City of Fort Wayne, Allen County and as recorded in the Office of the Recorder of Allen County, Plat Book 7, page 64

SECTION 2. After passage of this Ordinance, approved by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

JOHN NUCKOLS

Councilman
Read the third time in full and on motion by Nuckols, seconded by Hingo, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Burns, Hingo, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
None
Date: 9-24-74

CHARLES W. WESTERMAN
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-25-74 on the 24th day of September, 1974.

ATTEST:
CHARLES W. WESTERMAN
City Clerk
SAMUEL J. TALARICO
Presiding City

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 A.M., E.S.T.

CHARLES W. WESTERMAN
City Clerk
Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 A.M., E.S.T.

IVAN A. LEBAMOFF
Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a true, true and complete copy of General Ordinance No. G-25-74 passed by the Common Council on the 24th day of September, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of September, 1974, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of September, 1974.
CHARLES W. WESTERMAN
City Clerk
SEAL
9-30-74

Ft. Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	_____
Head number of lines	2
Body number of lines	98
Tail number of lines	2
Total number of lines in notice	102

COMPUTATION OF CHARGES

102 lines 1 columns wide equals 102 equivalent lines at 28¢ cents per line	\$ 29.38
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	_____
Charge for extra proofs of publication (50 cents for each proof in excess of two)	1.50
TOTAL AMOUNT OF CLAIM	\$ 30.88

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5½ point
Number of insertions 2	Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date October 7, 1974

Arvilla Dewald
Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows: 9/30 & 10/7/74

Subscribed and sworn to before me this 7th day of October 1974

My commission expires October 25, 1975

Notary Public



Ft. Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head	number of lines	<u>2</u>
Body	number of lines	<u>98</u>
Tail	number of lines	<u>2</u>
Total number of lines in notice		<u>102</u>

COMPUTATION OF CHARGES

102 lines, 1 columns wide equals 102 equivalent lines at .288¢ cents per line \$ 29.38

Charge for notices containing rule or tabular work (50 per cent of above)

Extra proofs of publication (50 cents for each proof in excess of two) 1.50

AMOUNT OF CLAIM \$ 30.88

COST

per column 11 ems

Size of type 5 1/2 point

insertions 2

Size of quad upon which type is cast 5 1/2

and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

, 19 74

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken

that he is Clerk of the

NEWS-SENTINEL

DAILY

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being

9/30 & 10/7/74

Subscribed and sworn to before me this 7th day of October, 19 74

Notary Public

My commission expires October 25, 1975

LEGAL NOTICE GENERAL ORDINANCE NO. G-25-74

Notice is hereby given that on the 24th day of September, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-74-09- G-25-74 General Ordinance, to-wit:

BILL NO. G-74-09-09
GENERAL ORDINANCE NO. G-25-74
AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a public utility.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a public utility easement having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on the 19th day of August, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1968 of the General Assembly of the State of Indiana (Burns, Ind. Ann. Statutes, 1964 Replacement, Sec. 3-744) the Thoroughfare Plan as set forth in General Ordinance No. G-57 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is intended by deleting the following public utility easement in Fort Wayne, Allen County, Indiana, to-wit:

A 12 foot wide utility easement running North and South between Lots 35 and 36 in Amended Eschwood Addition to the City of Fort Wayne, Allen County and as recorded in the Office of the Recorder of Allen County, Plat Book 7, page 64

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

JOHN NUCKOLS
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hingst, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burris, Hingst, Kraus, Moses, Nuckols, D. Schmidt, J. Schmidt, Stier, Talarico
Nays: None
Date 9-24-74

CHARLES W. WESTERMAN
City Clerk

Presented and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-25-74 on the 24th day of September, 1974.

ATTEST: CHARLES W. WESTERMAN
City Clerk
SAMUEL J. TALARICO
Printing Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:30 A.M., E.S.T.

CHARLES W. WESTERMAN
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 A.M., E.S.T.

IVAN A. LEBAMOFF
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the foregoing is a true, full and complete copy of General Ordinance No. G-25-74 passed by the Common Council on the 24th day of September, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of September, 1974, and now remains on file and on hand in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of September, 1974.

CHARLES W. WESTERMAN
City Clerk

SEAL
9-30-74

Ft. Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Date October 7, 1974

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. Gerken

that he is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for TWO

time, the dates of publication being

as follows 9/30 & 10/7/74

Subscribed and sworn to before me this 7th day of October 1974

Notary Public

My commission expires October 25, 1975

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TO THE
VER AGAIN
Horror